

IHB © SPECIAL INSTRUCTIONAL PROGRAMS

A long-range plan will be the basis for providing special education services for students with exceptional needs and education requirements. These services may include specialized programs, personnel, facilities, materials, and equipment needed to promote the individual physical, social, intellectual, and emotional growth of exceptional students.

The Superintendent shall ~~develop~~ ensure that procedures that provide educational opportunities for individuals with disabilities and ~~that shall~~ accomplish District compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education. Such procedures shall include, but not be limited to, the following provisions:

- ~~All children with disabilities aged birth (0) through twenty-one (21) years within the District's jurisdiction are to be identified, located, and evaluated including children attending religious or private schools who are in need of special education and related services.~~ The District will ensure that all children with disabilities, between the age of birth (0) through twenty-one (21) years, within the boundaries of the District, including children with disabilities who are homeless or wards of the state, and children with disabilities attending private schools or home schools, regardless of the severity of their disability, and who are in need of special education and related services are identified, located, and evaluated.
- A free appropriate public education (FAPE) shall be available to all children with disabilities aged three (3) through twenty-one (21) years within the District's jurisdiction, including children advancing from grade to grade, those who have been suspended or expelled from school in accordance with the applicable IDEA rules and regulations, and any child with a disability the District has placed in or referred to a private school or facility. The District may refer to and contract with approved public or private agencies as necessary to ensure the provision of FAPE for children with disabilities. FAPE for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22).
- ~~A full individual evaluation encompassing existing and additional data shall be conducted for each child to determine if the child is a child with a disability and the educational needs of the child before the initial provision of special education and related services. A reevaluation of each child shall be conducted at least every third year.~~ A full and individual initial evaluation will be conducted by the public education agency before the initial provision of special education and related services to a child with a disability in accordance with 34 C.F.R. 300.300 - 300.311 of the IDEA regulations.

- [Procedures for child identification and referral shall meet the requirements of the IDEA and its regulations. A.R.S. Title 15, chapter 7, and its regulations, and the State Board of Education rules R7-2-401.](#)
- [The District shall ensure that A](#)n individualized education program (IEP) shall be developed and implemented for each eligible child served by the District and for each eligible child the District places in or refers to a private school or facility [by the District in accordance with 24 C.F.R. 300.320 – 300.325 of the IDEA regulations.](#) An IEP or an individualized family service plan (IFSP) will be in place for each child with a disability prior to the provision of FAPE.
- To the maximum extent appropriate, opportunities for the least restrictive [environment setting](#), inclusion in educational exercises with regular program students, and for interaction with the total school environment will be provided to exceptional students, the exception to be only when the student's condition, with supplementary aids and services, make such regular class education unsatisfactory.
- ~~All required procedural safeguards must be guaranteed to the exceptional students and their parents.~~ [The District shall establish, maintain, and implement procedural safeguards that meet the requirements of 34 C.F.R. 300.300 – 300.311 of the IDEA regulations.](#) ~~The p~~Parents will be provided with notices of procedural safeguards in each specified instance and all due process conditions will be satisfied with respect to the provision of a free appropriate public education.
- The District [will ensure that protection of the confidentiality of any personal identifiable data, information, and records collected or maintained by the District will be in accordance with 34 C.F.R. 300.611 – 300.627](#) ~~shall follow the established state and federal standards to protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages.~~
- To the extent essential to provide FAPE to children with disabilities aged three (3) through twenty-one (21), extended school year (ESY) services shall be made available and implemented as necessary.
- Criteria for the graduation of exceptional students, including accomplishment in reading, writing, and mathematics, shall be as specified in the District policy on graduation requirements. Such standards shall be equivalent to or greater than those established by the State Board of Education.
- Not later than March 1 of each year conduct a review of the reasonable and acceptable ratio of students per teacher for each disability category. The applicable ratios shall be specified in a regulation accompanying the District policy on class size.

- The discipline of exceptional students, and unevaluated students suspected of having a qualifying disability, is to be conducted in such a manner as to comply with FAPE and requirements of the IDEA.

A child with a disability may be disciplined for a violation of the student code of conduct, including removal from his or her current placement to an appropriate interim alternative education setting, another setting, suspension or expulsion in accordance with IDEA Regulations 34 C.F.R. 300.530 through 300.536.

For the purpose of this policy as it relates to a child with a disability, *home school district* means the school district in which the person resides who has legal custody of the child as provided in A.R.S. 15-824. If the child is a ward of the state and a specific person does not have legal custody of the child or is a ward of this state and the child is enrolled in an accommodation school pursuant to A.R.S. 15-913, the home school district is the district the child last attended or, if the child has not previously attended a public school in this state, the school district within which the child currently resides.

The Superintendent is authorized and directed to establish procedures for the development and administration of the necessary programs, and to document District compliance with the law and this policy. Such procedures will be made available to staff members and to parents as necessary to enhance compliance.

Adopted: ~~date of Manual adoption~~ October 30, 2018

LEGAL REF.: A.R.S. 15-761
 15-761.01
 15-763
 15-763.01
 15-764
 15-765 to 15-769
 15-771
 15-773
 15-881
 15-1181 to 15-1185
 15-1201 to 15-1205
 36-555
 A.A.C. R7-2-401
 R7-2-402
 R7-2-403
 R7-2-405
 R7-2-601
 R7-2-602
 R7-2-603
 20 U.S.C. 1400 *et seq.*, Individuals with Disabilities Education Act
 29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

CROSS REF.: IIB - Class Size
IKE - Promotion, Retention, and Acceleration of Students
IKF - Graduation Requirements
JKD - Student Suspension
JKE - Expulsion of Students
JR *et seq.* - Student Records